

Court Advisory

Fourth Court of Appeals
Cadena-Reeves Justice Center
300 Dolorosa, Suite 3200
San Antonio, Texas 78205-3037



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FOR IMMEDIATE RELEASE
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Fourth Court of Appeals to Hear Oral Argument

The Fourth Court of Appeals will hear oral arguments in one appeal on Wednesday, October 23, 2013, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Rebeca C. Martinez.

The following case will be presented:

City of San Antonio, Texas v. Joseph Salvaggio – The City of San Antonio appeals the trial court's summary judgment in favor of San Antonio Police Officer Joseph Salvaggio. The City asserts the court should have granted its motion for summary judgment because the hearing examiner who overturned Salvaggio's suspension exceeded his jurisdiction and violated the non-delegation doctrine by effectively creating a Civil Service rule concerning what constitutes "test materials" in a promotion exam.

The Fourth Court of Appeals will hear oral arguments in two appeals on Wednesday, October 23, 2013, beginning at 1:30 p.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Rebeca C. Martinez.

The following cases will be presented:

In re Estate of Anita I. Forister, Deceased – This appeal arises out of an heirship proceeding and raises issues relating to standing and the right of an adopted child to inherit from a biological great aunt.

Lorenzo Leroy Thompson v. The State of Texas – In this appeal, this Court will consider (1) whether the trial court erred in not instructing the jury on the lesser included offenses of manslaughter and criminally negligent homicide; (2) whether the State's argument to the jury was improper; (3) whether the evidence is sufficient to support Thompson's conviction for capital murder; and (4) whether the record establishes Thompson's ability to pay attorney's fees as required by the trial court's judgment.

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The Fourth Court of Appeals will hear oral arguments in one appeal on Thursday, October 24, 2013, beginning at 9:00 a.m., before the following panel of justices: Justice Karen Angelini, Justice Marialyn Barnard, and Justice Rebeca C. Martinez.

The followings case will be presented:

Jose Luis Pena v. County of Starr - Jose Luis Pena appeals from a summary judgment rendered in favor of his former employer, Starr County, on Pena's claims for retaliatory discharge and discrimination based on age and disability.

The oral arguments will be held in the Fourth Court's Courtroom, Caden-Reeves Justice Center, Third Floor, 300 Dolorosa, San Antonio, Texas.